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692 695 does not delay, but is carried out immediately. The loser may, however, appeal to another judge for a rehearing of the case. Compensation in some form, usually cattle, or hoes, or, in a few cases, a daughter, is the sentence.

• 674 *Theft.*—The extraordinary boldness and skill of the Nyakyusa thieves are widely known. Outside their own country their reputation is perhaps greater than they deserve, great though that is. At one place guards are doubled when it is known that Nyakyusa carriers have arrived. No European house has escaped their attentions, to the greater or smaller loss of the owner. They break through brick walls, enter by door or window, conduct their operations by day or night, with equal indifference and success; and the speed with which recognizable goods are disposed of, adds to the mystery of their methods.

A white man was recently robbed while reading in bed with dogs beside him, the thieves quietly lifting and carrying off a heavy trunk, which they believed to contain a large amount of cash, before the owner knew that they were in the room. Another had the whole of his kit taken while he himself was in the next room; a medical man had his hand-bag taken from his bedroom at about five in the afternoon; in yet another case the sum of two hundred shillings was quietly carried off from a table while three Europeans were sitting in the next room at breakfast. Sheets have been taken off beds, and the owners knew nothing of their loss until bed-time revealed the fact. Rifles and accoutrements have been removed from

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beside sleeping native soldiers, and blankets taken 674
from under sleeping men. A few months ago all the contents of a native house were taken off at midday; and a workman of mine, returning to his home at five in the evening, found that everything had been taken in his absence, though his house is in a village of considerable size. Considerations of meanness never hinder a thief when an opportunity presents itself. One Saturday, some time ago, an old widow, in preparation for the Sunday service in the Mission Church, washed her one garment, and spread it out on a bush to dry. Having nothing else to wear, she lay down behind another bush; and presently along came a man who snatched off the garment and ran, pursued by the shrill objurgations of the disconsolate widow, the only punishment he ever received.

The thieving community forms a kind of federation, and gangs are made up from many different districts. There is a family some distance from here which boasts that they were thieves before the white man came and taught them! The thieves are known in the villages to which they belong, but they are never betrayed, either because of the fear which they undoubtedly inspire; or, in some cases, because the chiefs get a share of the proceeds of the industry. The number of thieves, and the amount of thieving, has greatly increased since the British occupation of Tanganyika Territory, to the disgust of honest men, who openly express their admiration for other aspects of British rule, but are very frank in their criticism of what they call our softness in dealing with evil-doers.

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[674] The complaint is not seldom made that in this respect they were better off under the Germans, for the Germans had a vigorous way with rascals, while now criminals are cared for in comfortable prisons, while honest men suffer loss for which they get no compensation. Professional thieves openly jeer at the sentences imposed: good feeding, houses, fires, blankets, and back to your "work" in fatter and fitter condition than when you left it!

[675] So openly, so far as their own immediate neighbourhoods are concerned, are thieving operations carried on, that both the doctor and the diviner (the two offices are often combined in one person) are consulted; the former to find out whether the proposed plans will be successful, the latter to supply the necessary medicines. Watchers being stationed to give the alarm, medicine is thrown on the roof of the house to be robbed, to make sure that the inmates shall sleep soundly; and on the door, to make it open of itself, as many seriously believe. On entering, the first man in begins by handing out all weapons, so rendering the owner defenceless should he awaken; then a brand from the fire, which is always burning in every house, is waved about to fill the place with smoke; and a third medicine is placed under the heads of the sleeping people of the house. If the thieves dig in, as they often do, the work is performed with remarkable silence. When the hole is big enough, a large banana leaf is thrust in and moved about, to test if the inmates are really sleeping. Then one man goes in feet first, for a spear-wound in the foot from a

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watchful householder is less serious than the thrust through the chest which ended the life of an incautious robber a year ago. 674

When everything has been handed out to confederates, the doors are opened, and the cattle taken out; for the latter sleep in the same house as their owners; a custom which is attributed to the conviction that in no other way is there any chance at all of defending their property. If the owner has been killed in the house, the cattle, I am assured, will refuse to move; but they will pass over the dead body if placed in the doorway, and give no further trouble. Murder is a not infrequent accompaniment of cattle stealing. A woman was killed with a blow of an axe, not five miles from my house, because she awoke and cried out when thieves were making off with their booty. There is a story, which has been only partially confirmed by the police, that in 1923 six persons were killed by the owners of cattle with which they were making off. The cattle lowed while being removed, the owners were roused, and overtook the thieves, who were killed in the fight which ensued.

Old stories say that thieves possess medicine which make it impossible for them to be recognized should the victim waken up while they are still in the house. They ask him if he knows who they are; and as death may be the penalty of an affirmative answer, it is easy to believe that it is rarely given. So confident are the thieves of the power of the drug, that they sometimes coolly arouse their victims, and compel 674 189

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674 them to cook for them. One brave man, thus occu-
789 pied, suddenly thrust a blazing brand into the face of one of his spoilers, whereupon he and his confederates bolted.

685 The native law of reprisal is the same as the old American law of horse stealing—death on the spot if caught. The chief did not interfere in such cases. On the contrary, he was indignant if criminals of this kind were brought to him. He refused to look at them, and reminded the captors that it was their duty to kill them where they were caught: let them be taken off and dealt with according to the law without further parley. Hanging on a tree was the commonest mode of disposing of captured thieves.

But the Konde loves his cattle, and not all the fear of the thieves and their medicines will hinder some individuals from doing all in their power to recover their property. An old man came some time ago to ask the loan of forty shillings. He explained that he had been robbed, and that his plan was to go through the country offering to buy a cow, in the hope that the thieves, not recognizing him, would offer him his own animal. It is pleasing to relate that the old man's plan was completely successful. *Per contra*, thieves sometimes bring intelligence, of a kind, to bear upon their profession, and cases are known where they have actually charged the real owner with having stolen their cattle, and had them awarded to them.

674 In strong contrast to the Nyakyusa of the north, the people of Karonga, though they steal from each other, do not steal from Europeans. During five years

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residence there, I never locked my doors, and the only theft of which I had to complain was the pendulum of a clock taken from an open building!

Murder.—Murder is, from the native point of view, a much less serious crime than cattle stealing. But it should be remembered that British law calls crimes murder which are not so called by the Konde. A man who kills his wife's paramour has not committed murder: he has exacted a just revenge, and no more. In a case of real murder, the murderer or his friends usually pay a fine, or rather a compensation, of up to ten head of cattle; and the loss to the family of the murdered man is further made good by the other family handing over a daughter. This girl must never be spoken of as a substitute, for that would cause her children, when she has them, to die. It is needless to add that under British law compensation of any kind to the family of the murdered person does not acquit the murderer. What follows, therefore, is purely native law, which, if administered at all, is administered only when there is reason to believe that the police will never come to hear of it.

[illegible] murder was committed, the chief directed the friends of the murderer to bring him for trial, but if they chose to put him to death themselves, the case was ended. Should it be impossible to discover the murderer, a friend of his, it hardly mattered who, was put to death, and a wide-extending vendetta might be the result. When the law is satisfied, a formal reconciliation between the two families takes place. Under the guidance of the medicine man, who is

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the favour of the white man for any reason, can be supplied with a charm which will secure the end he has in view. For a few moments after the interview begins, he chews at the charm, then removes it from his mouth, trusting for the rest to what has been incised in his forehead. A favourable result may be confidently expected.

Thieving charms are also in use, and men who operate under such protection are called *kalebi*. A drug unknown to me is tied up in a leaf, and thrown on to the roof of the house to be rubbed, and also at the door, to make the inmates sleep. The thieves enter, either by opening the now facile door, or by digging; and immediately place another drug under the heads of the sleeping owners of the house. "May they sleep heavily; may they dream dreams," is their incantation. Another medicine is worn on the wrists. So bold are the robbers thus protected that, when they have removed everything they wish, they awaken the sleepers, and demand food (which is given to them), without fear of being recognized; but it is not perhaps surprising, considering the fear in which these criminals are held, that the victims never admit that they recognize the thieves.

The house, however, may be protected. Powdered root of *chisebe* is spread all over the house, and any thief who enters will have sores breaking out on his lips, a thing which happens only to thieves who have ignored this charm.

Kondeland should be a paradise for debtors, for the man who knows the ropes can arrange to put off pay-